

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

JERRY LEON DEES, JR.,	*
Plaintiff,	*
vs.	* Case No. 2:07-cv-00306-MHT-CSC
HYUNDAI MOTOR MANUFACTURING ALABAMA, LLC and HYUNDAI MOTOR AMERICA, INC.,	*
Defendants.	*

**PLAINTIFF'S FOURTH AMENDED TRIAL EXHIBIT LIST  
PURSUANT TO RULE 26(a)(3)  
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

COMES NOW the Plaintiff, Jerry Leon Dees, Jr. and pursuant to Rule 26(a)(3), F.R.C.P., hereby discloses the following documents and/or things that he will offer ("W") into evidence at the trial of the above styled cause and those documents and/or things that may be ("M") offered into evidence.

<b>Exh No.</b>	<b>Description</b>	<b>W/ M</b>	<b>For ID Only</b>	<b>Adm in Evidence</b>
1	Team Relations Folder regarding Leon Dees (blue folder) (Pl's Depo. Ex 1)	W		
2	Team Relations Folder regarding Leon Dees (green folder) (Pl's Depo. Ex 2) (Note: These documents were later produced with Bates numbers HMMA 0309-325 on 11/19/07 - Bates numbers are duplicates from a previous production)	W		

3	“Team Relations File” in regards to the “Peer Review” file regarding Leon Dees – “Investigation File” (Pl’s Depo. Ex 3)	M		
4	Leon Dees’ “Official Personnel File” (Pl’s Depo. Ex 4)	W		
5	Maintenance Team Member Interview Guide and additional notes and documents pertaining to Leon Dees (Pl’s Depo. Ex 5)	W		
5A	February 21, 2007 Team Relations Memo from William Ware to Rob Clevenger regarding interview with Leon Dees, William Ware and Greg Prater with sketch of doors, table and chair contained Dees’ Team Relations File.  (Pl’s Depo. Ex 2)	W		
6	NOT USED	---		
7	HMMA & HMA Corporate Details sheets, HMC Fact Sheet, HMMA Information Sheet (Warner Depo Doc 0001-0004)	M		
7A	HMMA Team Member Handbook (Warner Depo Doc 0005-0054)	M		
8	Wendy Warner personnel file (Pl’s Depo. Ex 8) (HMMA00094-00125)	M		
8A	Confidentiality Agreement from Wendy Warner personnel file (Pl’s Depo. Ex 8) (HMMA00122-00123)	W		
8B	Training Reimbursement Authorization from Wendy Warner personnel file (Pl’s Depo. Ex 8) (HMMA00124)	M		

9	Documents produced by HMMA in its Initial Disclosures including Leon Dees' personnel file (Pl's Depo. Ex 9) (HMMA0001-93) & other documents relating to Leon Dees' including his termination (HMMA 0333-343 - Produced 11/30/07 - Bates numbers are duplicative)	M		
9A	Packet presented to the Termination Meeting by Clevenger (HMMA 00033-38)	W		
9B	Dees' termination letter from documents produced by HMMA in its Initial Disclosures including Leon Dees' personnel file (Pl's Depo. Ex 9)  (HMMA00006)	W		
9C	February 21, 2007 email to John Applegate from Greg Prater, from documents produced by HMMA in its Initial Disclosures including Leon Dees' personnel file (Pl's Depo. Ex 9)  (HMMA00040)	W		
9D	HMMA Serious Misconduct Policy from Documents produced by HMMA in its Initial Disclosures including Leon Dees' personnel file (Pl's Depo. Ex 9)  (HMMA00088-91)	W		
9E	February 6, 2007 email to Greg Kimble from Jerry Dees requesting a meeting regarding Prater.  1. (HMMA0333)	W		
10	Interview Guide - Scoring Matrix for Leon Dees (Pl's Depo. Ex 10)	W		
11	Interview Guide - Scoring Matrix for Leon Dees (Pl's Depo. Ex 11)	M		

12	March 7, 2007 letter from Warner to Dees regarding Team Member Review (Pl's Depo. Ex 12)	W		
13	February 15, 19, 2007 two handwritten statements "Interview with Jim Brookshire" (Pl's Depo. Ex 13) (HMMA00037-38)	W		
14	Jim Brookshire Personnel File (Pl's Depo. Ex 14) (HMMA00246-282)	M		
14A	Jim Brookshire Employment Application from his Personnel File ((Pl's Depo. Ex 14) (HMMA00257-260))	M		
14B	Confidentiality Agreement from Jim Brookshire Personnel File (Pl's Depo. Ex 14) (HMMA00263-264)	M		
14C	Conditional Letter of Employment from Jim Brookshire Personnel File (Pl's Depo. Ex 14) (HMMA00282)	M		
15	HMMA Team Member Handbook (Pl's Depo. Ex 15) (DEES0009-65)	M		
16	February 21, 2007 Team Relations Memo from William Ware to Rob Clevenger regarding Interview with Leon Dees, William Ware and Greg Prater (Pl's Depo. Ex 16)	W		
17	John Applegate Personnel & Team Relations File (Pl's Depo. Ex 17) (HMMA00177-212)	M		

17A	Confidentiality Agreement from John Applegate Personnel & Team Relations File (Pl's Depo. Ex 17)  (HMMA00192-193)	M		
18	Greg Prater Personnel File (Pl's Depo. Ex 18)  (HMMA00126-165)	W		
18A	Confidentiality Agreement in Greg Prater Personnel File (Pl's Depo. Ex 18)  (HMMA00156-157)	W		
19	Greg Prater's Team Relations file (Pl's Depo. Ex 19)  (HMMA00166-176)	W		
19A	Schedule of Discussion Planners from Greg Prater's Team Relations file (Pl's Depo. Ex 19)  (HMMA00166)	W		
19B	Discussion Planner dated 11/15/2006 from Greg Prater's Team Relations file (Pl's Depo. Ex 19)  (HMMA00173-174)	W		
19C	Formal Discussion dated 12/1/2006 from Greg Prater's Team Relations file (Pl's Depo. Ex 19)  (HMMA00175-176)	M		
20	Supplement to Greg Prater's personnel file (Pl's Depo. Ex 20)  (HMMA0326-0331)	W		

21	Microsoft Office Outlook calendar appointment page print out regarding “Leon Dees - Sleeping in the third floor” (Pl’s Depo. Ex 21)  (HMMA0351)	M		
22	September 9, 2004 (Revision Date) Team Relations Memo regarding Ontario King (Pl’s Depo. Ex 22)	W		
23	March 5, 2007 photographs taken by Clevenger (Pl’s Depo. Ex 23)  (HMMA0344-350)	W		
24	March 2, 2007 Inter-office Memo from Nancy Powers to Rob Clevenger regarding Leon Dees (Pl’s Depo. Ex 24)	W		
25	March 7, 2007 letter from Wendy Warner to Leon Dees regarding Team Member Review including hand written notation that Dees did not attend (Pl’s Depo. Ex 25)	W		
26	February 7-9, 2007 email series regarding Leon Dees leaving for lunch while the lift was down (Pl’s Depo. Ex 26)  (HMMA00039)	W		
27	Organizational Charts (Pl’s Depo. Ex 27)  (HMMA0353-354)	M		
28	Clevenger photograph of area on third floor mezzanine near the PLC controller (door open) with chair (on right) and spool (Pl’s Depo. Ex 28)	W		
29	Clevenger photograph of area on third floor mezzanine near the PLC controller (door closed), no chair or spool (Pl’s Depo. Ex 29)	W		
30	NOT USED			
31	NOT USED			

32	NOT USED			
33	HMMA Daily Production Actual (Pl's Depo. Ex 1f (g included here also) (HMMA 30b5000795)	M		
34	NOT USED			
35	NOT USED			
36	NOT USED			
37	December 31, 2006 and 2005 HMMA Financial Statements with Independent Auditors' Report (Pl's Depo. Ex 1l) (HMMA 30b5001524-1541)	M		
38	September 15, 2005 Benefits Letter to Keith Duckworth with HMA from Greg Kimble (Pl's Depo. Ex 1d2) (HMMA 30b5000121)	M		
39	NOT USED			
40	NOT USED			
41	NOT USED			
42	HMMA Organization Charts (Pl's Depo. Ex 2 - (30b5 depo) (HMMA 30b5001759-1760)	M		
43	November 28, 2007 On-Site Inspection photographs taken of HMMA's premises	W		
44	Alleged contents (including box) of Leon Dees' locker, inventory statement (See HMMA 0332 - Leon Dees Locker Content production on 11/30/07 - Bates numbers are duplicative) and DVD prepared by HMMA	M		
45	March 26, 2007 Franklin D. Barnes, Sgt. Memorandum for the Record regarding instructional letter for Human Resource Officer (DEES000001-2)	W		

46	October 2005 and 2006 various memoranda from Kevin Smith, 1Lt. regarding 2006 & 2007 Alabama Army National Guard Drill Dates  (DEES000003-5)	W		
47	March 7, 2007 HMMA letter to Leon Dees from Wendy Warner regarding Team Member Review  (DEES000007-8) (See also Pl's Depo. Ex 25)	W		
48	Answering machine tape of Leon Dees with messages left by Rob Clevenger	W		
49	October 1, 2007 Expert report of Robert Hall (with attached exhibits)	W		
49A	January 23, 2008 Supplemental expert report of Robert Hall (with attached exhibits)	W		
50	All documents relied upon by Robert Hall for the preparation of his expert report and supplement which were produced at deposition on January 28, 2008, including the following:  <b>Pleadings:</b> *Complaint/Summons *HMMA's Answer to Complaint *HMA's MTD & Memo in Support Thereof *Order denying HMA's MTD *Notice of Deficiency Re: Corporate Conflict Stmt *HMMA's & HMA's Corporate Conflict Disclosure Stmt *Defs' Objection/Notice of Potential Sched Conflict *Pl's Response in Opposition to Notice of Potential Conflict *Joint Motion for Entry of Protective Order *Protective Order *Rule 26(f) Order *Report of Parties' Planning Meeting *Uniform Scheduling Order *Notice of Deposition & Subpoena to Robert Hall *Declarations of Richburg, Harrison, Wingo, Archer, Bornberg *Def's Reply to Pl's Response in Opposition to Def's Mot for Protective Order Limiting Depo Scope of Depos	M		

**Discovery Pleadings & Productions**

- \*Pl's Initial Disclosures & documents
- \*Pl's Second Supplemental Disclosures
- \*HMMA & HMA's Initial Disclosures & documents
- \*HMMA's 1st Irogs & RFP to Pl & Pl's Responses  
(Responses include document production)
- \*Pl's additional production of documents by letter  
responsive to the 1st RFP (Dees' 2004-2005 tax  
returns and pay stubs)
- \*Dees' Supplemental Answers to HMMA's 1<sup>st</sup> Irogs to Pl
- \*Pl's Irogs & RFP to Defs
- \*HMMA & HMA's Responses to Pl's Irogs
- \*Sep 7, 2007 supplemental production by Dees of various  
awards and certificates Bates #d DEES359-407
- \*Nov 19, 2007 letter producing documents provided at  
Wendy Warner's deposition now Bates #d 309-325
- \*Def's Expert Disclosure
- \*Hall's Expert Disclosure
- \*Plant Inspection Photographs
- \*Dees BCBS Card
- \*Various IP Benefits Booklets Bates #d DEES414-774
- \*Table of Dees' Hours Worked 01/06-01/07 Bates #d  
DEES775-776
- \*IP Labor Agreement

**Correspondence:**

- \*Aug 22, 2007 letter to Jeffrey Sport from Matt Johnson re:  
the further handling of discovery
- \*Aug 28, 2007 letter to Jeffrey Sport from Matt Johnson re:  
additional discovery issues
- \*Aug 30, 2007 response to Matt Johnson & Trent Scofield  
re: letters of last week concerning discovery
- \*Sep 11, 2007 Defs' supplemental disclosures of  
employment and team relations files (ltr only)

**Non-Party Subpoena Productions:**

- \*Simcalia documents pursuant to NPS
- \*BE&K documents pursuant to NPS
- \*International Paper documents pursuant to NPS

	<p><b>Miscellaneous Work Papers, Articles, Etc.:</b></p> <ul style="list-style-type: none"> <li>*Docket sheet printout</li> <li>*July 07 - Dec 07 IP Pay Stub Details for Dees</li> <li>*Client contact sheet</li> <li>*Article - Hyundai's Genesis targets luxury market</li> <li>*Article - Hyundai Halts Production as Sonata Sales Dip</li> <li>*Article - South Korea: Hyundai denies US plant cut plans</li> <li>*Article - State Lures Good Jobs, But Companies Worry about Workers</li> <li>*Hyundai Motor America, Hyundai Motor Finance Company Summary of benefits &amp; programs</li> <li>*Litigation Services Engagement Acceptance Form</li> <li>*Procedures and Reporting Checklist - Lost Earnings Engagements</li> <li>*Client Questionnaire</li> <li>*Wage spreadsheet</li> <li>*IP Benefits Outline,</li> <li>*IP Optional Long Term Disability Plan</li> <li>*Life Table for Males</li> <li>*Worklife Estimates: Effects of Race &amp; Education</li> <li>*Federal Reserve Statistical Release - Selected Interest Rates</li> <li>*Civilian Workers National Compensation Survey</li> <li>*Employment Cost Index, Historical Listing</li> </ul> <p><b>Depositions:</b></p> <ul style="list-style-type: none"> <li>*Gwang Mun</li> <li>*Robert Clevenger</li> <li>*John Applegate</li> <li>*James Brookshire</li> <li>*Jerry Leon Dees</li> <li>*Wendy Warner</li> </ul>		
51	Leon & Katherine Dees' 2004-2006 State and Federal Income Tax Returns & 2006 W-2 Wage and Tax Statements for Leon Dees (HMMA) and Katherine Dees (Peachtree Bank)  (DEES000067-88, DEES000318-357, DEES000406-407)	M	

52	Documents relating to Leon Dees' HMMA Employee Benefits – Notice for Continuation for Health Care Coverage and Life Insurance & COBRA Continuation Coverage Election Letter and Dees' payment, Group Health Care Plan, Long Term Disability Insurance Booklet & HMMA Benefit Plan, Announcement of New 401K benefit enhancement, Leon Dees' rollover contribution notice  (DEES000089, DEES000120-121, DEES000123-124, DEES000130-295)	M		
53	Documentation of medical expenses for Leon Dees' family  (DEES000125-129)	M		
54	Leon Dees' HMMA Advice of Deposit slips  (DEES000090-119)	M		
55	January 1, 2006 - December 31, 2006 printout of Leon Dees' hours worked by month, showing also vacation, sick and personal days, jury and military duty, etc.  (DEES000122)	W		
56	Leon Dees' Military Honors, Achievement Recognition, Awards and Promotions – July 2, 2004 Promotion Notification of Leon Dees  (DEES000296-297, DEES000359-405)	W		
57	Certificate of Release or Discharge from Active Duty  (DEES000298-299)	W		

58	March 2007 - July 2007 BE&K pay receipts of Leon Dees & July 2007 - September 2007, September 2007 - November 2007 (un-numbered but contained within PI's Trial Ex 50 produced to Defendants on January 28, 2008) and December 2007 - January 2008 International Paper pay receipts of Leon Dees  (DEES000300-315, DEES000358, DEES000408-412, DEES000777-780)	M		
59	NOT USED			
60	Withdrawn.			
61	March 2007 Rural Cellular cell phone bill for Leon Dees (No Bates Number) (Def's Depo. Ex 13)	M		
61A	Documents provided by Unicel pursuant to non-party subpoena (HMMA Subpoena Docs 366-379)	M		
62	Personnel & Team Relations file of Kevin Hughes (HMMA 00213-245)	M		
63	Team Relations File of Ontario King (HMMA 00283-298)	W		
64	Team Relations File of Sharon Baker (HMMA 00299-308)	M		
65	All HMMA Daily Reports (HMMA 00365-1064) (2/15/08 and 2/27/08 production - Includes Bates numbers that are duplicative)	W		
66	Documents relating to the investigation of the sexual harassment claim by Veronica Stallworth (HMMA 00309-341)	W		
67	Withdrawn.	--		
68	NOT USED			

69	Documents relating to William Sievers  (HMMA 0355-364)	M		
70	Documents provided by International Paper pursuant to non-party subpoena  (HMMA Subpoena Docs 78-365)	M		
71	Documents provided by BE&K pursuant to non-party subpoena  (HMMA Subpoena Docs 33-77)	M		
72	Documents provided by Simcal, Inc. & Miller Mechanical pursuant to non-party subpoena  (HMMA Subpoena Docs 1-32)	M		
73	NOT USED			
74	Dees Discussion Planners  (HMMA 00041-48)	W		
75	November 4, 2004 HMMA Harassment Policy  (HMMA 00083-86)	W		

Dated this the 21<sup>st</sup> day of May, 2008.

s/ Jeffrey R. Sport  
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**CERTIFICATE OF SERVICE**

I do hereby certify that I have served on this 21<sup>st</sup> day of May, 2008, electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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